

## REMARKS

By this Amendment, Applicant amends claim 1 to incorporate allowable subject matter of claim 3, and cancels claim 3 without prejudice or disclaimer of the subject matter thereof. Applicant has also amended claims 2 and 4-9 to further improve readability. Claims 1, 2, and 4-23 are currently pending, with claims 10-23 withdrawn from further consideration, and claims 1, 2, and 4-9 presented for examination.

In the Office Action mailed on January 10, 2005, the Examiner objected to claim 3 as being dependent upon a rejected base claim, but indicated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim. The Examiner also rejected claims 1, 5, and 6 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. JP-05259936A to Kusano et al.; rejected claims 2 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Kusano et al. in view of U.S. Patent No. 5,133,081 to Mayo; and rejected claims 7-9 under 35 U.S.C. § 103(a) as unpatentable over Kusano et al..

### Regarding the Rejections

Applicant respectfully traverses the Examiner's rejections under both 35 U.S.C. § 102 and 103. In order to expedite prosecution of this case, however, Applicant has amended independent claim 1 to incorporate allowable subject matter in claim 3. Claim 1 is therefore immediately allowable. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 1.

Because claims 2 and 4-9 depend from claim 1, claims 2 and 4-9 are therefore also allowable for at least the same reasons stated above in regard to claim 1. Applicant therefore also respectfully requests withdrawal of the rejections of claims 2 and 4-9.

**Regarding Applicant's Priority Claim**

The Examiner indicated "that applicant has not filed a certified copy of the 2000-22558 application as required by 35 U.S.C. 119(b)." (Office Action at 2.) Applicant respectfully points out that "the requirement for a certified copy may be fulfilled by providing a certified copy to the International Bureau, and the International Bureau forwards a photocopy of the certified priority document when it forwards a copy of the international application to each Designated Office. . . . The examiner should acknowledge in the next Office action that the certified copy of the foreign priority document has been filed." M.P.E.P. § 1893.03(c).

As evidenced by the attached PCT form PCT/IB/304 "Notification Concerning Submission of Transmittal of Priority Document," Applicant filed a certified copy of the 2000-22558 application with the International Bureau on May 24, 2001. Accordingly, Applicant respectfully requests that the Examiner withdraw the requirement for submission of the certified copy of Applicant's priority document.

**Conclusion**

In view of the foregoing amendments and remarks, Applicant respectfully requests entry of this Amendment and a timely issuance of a Notice of Allowance.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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By:   
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